

ORDINANCE NO. 2015-13

ORDINANCE GRANTING A VARIANCE PERMIT TO ALLOW AN EXISTING FRONT SETBACK OF 18.5 FEET, WHERE 22 FEET ARE REQUIRED, CONTRA TO HIALEAH CODE § 98-829. **A PROPERTY LOCATED AT 4251 WEST 10 AVENUE, HIALEAH, FLORIDA.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of February 25, 2015, recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The below-described property is hereby granted a variance permit to allow an existing front setback of 18.5 feet, where 22 feet are required, contra to Hialeah Code § 98-829, which provides in pertinent part: "In the R-Z residential zero lot line district, each lot shall have a clear, direct frontage on public streets with a minimum street frontage at the front property line of 22 feet." A property located at 4251 West 10 Avenue, Hialeah, Miami-Dade County, Florida and legally described as follows:

LOT 13, BLOCK 6 OF "TREELANE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127, AT PAGE 70 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Section 2: Repeal of Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

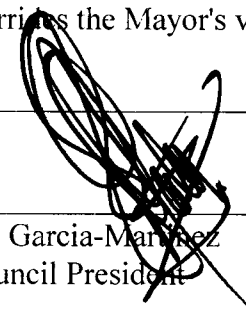
Section 3: Penalties. Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having

jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause. If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date. This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

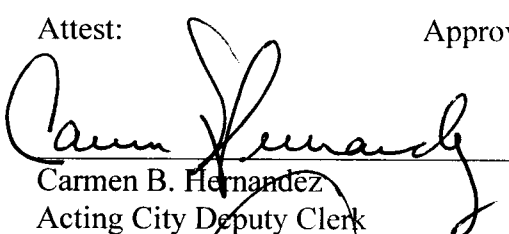
PASSED and ADOPTED this 24 day of March, 2015.



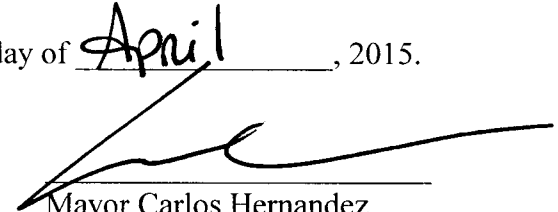
Isis Garcia-Martinez
Council President

Attest:

Approved on this 01 day of April, 2015.



Carmen B. Hernandez
Acting City Deputy Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

Ordinance was adopted by a (7-0) unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".